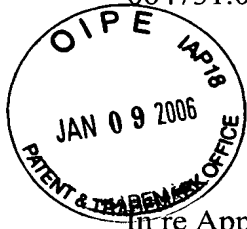


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PATENT APPLICATION
Serial No. 09/923,862

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David G. Way
Serial No.: 09/923,862
Filing Date: August 6, 2001
Group Art Unit: 2633
Examiner: Agustin Bello
Title: Tunable Channel Spacing For Wavelength Division
Multiplexing (WDM) Transport System

MAIL STOP AMENDMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

"EXPRESS MAIL"

Express Mailing Label No. EV 733635694 US
Date of Deposit: January 9, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Willie Jiles
Willie Jiles

RESPONSE TO OFFICE ACTION

In response to the Office Action mailed October 18, 2005, Applicant respectfully requests the Examiner to reconsider the rejection of the claims in view of the comments set forth below.